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OFFICE OF PETITIONS

In re Application of
Dennis Rauschmayer
Application No. 10/035,667
Filed: December 29, 2001
Attorney Docket No. TI/32214

:
: DECISION GRANTING
: PETITION
:
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This is a decision on the paper filed April 24, 2002, which is being treated as a petition requesting that the above-identified application be accorded an earlier filing date of December 27, 2001, or in the alternative, December 30, 2001 or December 31, 2001, rather than the presently accorded filing date of January 4, 2002.

Petitioner requests the earlier filing date on the basis that the application was purportedly deposited in an Express Mail drop box on December 27, 2001. Petitioner alleges that no customer copy of the Express Mail form was ever received from the USPS. However, a copy of the Intranet USPS Track and Confirmation receipt indicates that Express Mail Label No. EL915821554US was accepted on December 29, 2001 at the Dallas, Texas USPS. The same Express Mail number was referred to in the transmittal letter found in the present application.

In view of the above, the petition is granted to accord a filing date of December 29, 2001, since no evidence was provided to show a deposit date of December 27, 2001.

A corrected filing receipt showing the filing date of December 29, 2001 accompanies this decision.

This application is being forwarded to the Office of Initial Patent Examination Division for further processing with a filing date of December 29, 2001.

Telephone inquiries concerning this matter may be directed to Karen Creasy at (703) 305-8859.

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt